

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Illinois Commerce Commission)	
On Its Own Motion)	
)	
v.)	
)	
The Peoples Gas Light and)	02-0727
Coke Company)	
)	
)	
Reconciliation of revenues)	
collected under gas adjustment)	
charges with actual costs prudently)	
incurred.)	

**Motion of
The Peoples Gas Light and Coke Company
for Extension of Time to File Direct Testimony**

1 Pursuant to Section 200.190(a) of the Illinois Commerce Commission's
2 ("Commission") Rules of Practice (83 Ill. Admin. Code §200.190(a)), The Peoples
3 Gas Light and Coke Company ("Peoples Gas") hereby submits its Motion for
4 Extension of Time to File Direct Testimony in the above-captioned proceeding.

5 On November 7, 2002, the Commission issued its Order Commencing
6 PGA Reconciliation Proceedings ("Order"), which initiated the above-captioned
7 proceeding. The Order directed Peoples Gas to file its testimony and exhibits no
8 later than January 8, 2003. For the reasons set forth below, Peoples Gas moves
9 for an extension of time to file such testimony and exhibits on or before May 1,

10 2003. Peoples Gas consulted with the Commission Staff prior to making this
11 filing, and the Staff did not oppose this request. There are currently no parties to
12 the case.

13 Peoples Gas' gas charge reconciliation case for its fiscal year 2001 (the
14 twelve months ended September 30, 2001) is still pending (Docket 01-0707). In
15 fact, discovery pertaining to Peoples Gas' direct testimony (filed January 9, 2002)
16 and additional direct testimony (served October 16, 2002) is ongoing. Staff and
17 intervenors have not yet filed direct testimony, and no schedule has been set for
18 the filing of that testimony. A status hearing is scheduled for January 23, 2003,
19 and Peoples Gas expects a schedule for testimony and evidentiary hearings to
20 be established at that status hearing.

21 Although Staff and intervenors have not yet filed their direct testimony in
22 Docket 01-0707, it clearly appears from discovery requests that there will be
23 significant testimony concerning Peoples Gas' Gas Purchase and Agency
24 Agreement ("GPAA") with Enron North America Corp. As a result of this
25 discovery, Staff and the parties agreed that it would be appropriate for Peoples
26 Gas to file additional direct testimony to address, *inter alia*, the GPAA. The
27 GPAA is a five-year contract that began in fiscal 2000 (October 1, 1999) and
28 ends in fiscal 2005 (October 31, 2004). It is thus likely that the questions
29 regarding the GPAA that are being raised in Docket 01-0707 will be at issue in
30 the instant proceeding. While Peoples Gas recognizes that Commission
31 decisions are not *res judicata*, it is probable that the resolution of issues
32 pertaining to the GPAA in Docket 01-0707 will influence how similar, if not

33 identical, issues are resolved in the instant proceeding. Filing direct testimony in
34 the instant proceeding while those issues have not been more completely
35 developed by Staff and parties is not an efficient use of Respondent's, Staff's and
36 potential intervenors' resources. Delaying testimony and discovery in this
37 proceeding until Staff and intervenor issues about the GPAA have been further
38 clarified in Docket 01-0707 will allow Peoples Gas to ensure that its direct
39 testimony addresses specific concerns about the GPAA that Staff and parties
40 have articulated, and this will serve to streamline testimony and discovery that is
41 required in this proceeding.

42 Based on this information, Peoples Gas requests an extension of time to
43 file its direct testimony and exhibits in this proceeding. Peoples Gas also
44 requests that the Commission act by January 7, 2003, so that Peoples Gas will
45 know if it needs to file testimony on January 8, 2003.

46 WHEREFORE, The Peoples Gas Light and Coke Company respectfully
47 requests that the Commission grant this Motion and establish that Peoples Gas'
48 direct testimony and exhibits in the above-captioned proceeding will be due on or
49 before May 1, 2003.

Respectfully submitted,

The Peoples Gas Light and Coke Company

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Dated at Chicago this
18th day of December, 2002

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NOTICE OF FILING AND CERTIFICATE OF SERVICE

To: Service List

PLEASE TAKE NOTICE that on this 18th day of December, 2002, I have filed with the Chief Clerk of the Illinois Commerce Commission, the Motion of The Peoples Gas Light and Coke Company, a copy of which is hereby served upon you by United States Mail on December 18, 2002.

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